

Signed at Washington, DC this 7th day of January 2000.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-3372]

MUSKIN LEISURE PRODUCTS, INC. Wilkes-Barre, Pennsylvania; Notice of Revised Determination on Reconsideration

By letter of October 18, 1999, the International Union of Electronic, Electrical, Salaried, Machine, and Furniture Workers, AFL-CIO, requested administrative reconsideration of the Department's denial of eligibility for workers and former workers of the subject firm to apply for North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA).

On September 2, 1999, the workers of the subject firm producing above ground swimming pools, liners, filters and accessories and parts were denied NAFTA-TAA based on the finding that criteria (3) and (4) of paragraph (a)(1) of Section 250 of the Trade Act of 1974, as amended, were not met. The decline in employment was attributed to the company sourcing a portion of plant production to domestic and foreign sources. Pool components sourced to Canada were relatively low in relation to total plant production. There was no shift in production from Wilkes-Barre, Pennsylvania to Canada. The notice was published in the **Federal Register** on October 14, 1999 (64 FR 77752).

The company presented new evidence regarding increasing imports of pool components from Canada during the relevant time period. The company will continue to increase its reliance on imports of articles from Canada and other foreign sources like or directly competitive with those that were produced at the Wilkes-Barre plant.

Conclusion

After careful review of the additional facts obtained on reconsideration, it is concluded that increased imports of articles from Canada like or directly competitive with those produced by workers of Muskin Leisure Products, Inc., Wilkes-Barre, Pennsylvania, contributed importantly to the declines in sales or production and to the total

or partial separation of workers of the subject firm. In accordance with the provisions of the Act, I make the following certification:

"All workers of Muskin Leisure Products, Inc., Wilkes-Barre, Pennsylvania, who became totally or partially separated from employment on or after August 13, 1998 through two years from the date of the certification, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974."

Signed in Washington, DC this 7th day of January 2000.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW, Room S-3014, Washington, DC 20210.

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decision being modified.

Volume I

None.